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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,295	08/31/2001	Gregory S. Pettitt	TI-28576	2019
23494	7590	11/30/2006	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			HUNG, YUBIN	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/945,295	PETTITT, GREGORY S.	
	Examiner Yubin Hung	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 October 2006.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4-13,16 and 18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,4-13,16 and 18 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

***Response to Amendment/Argument***

1. The affidavit filed on 10/13/2006 has been considered but is ineffective to overcome the Kunzman et al. (US 6,054,832) reference. (Note: Applicant has not specified the rule under which the affidavit is filed. However, it is clear from paragraphs 2-5 on page 6 of Applicant's response that the intent is to antedate the Kunzman reference. Therefore, for examination purpose 37 CFR 1.131 is assumed.)
  
2. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Kunzman et al. (US 6,054,832) reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897).

Specifically, the effective date of the Kunzman reference is May 30, 1997, which is earlier than April 25, 2000, the declared date of Applicant's conception of the invention (P. 7, 1<sup>st</sup> paragraph of the amendment filed 10/13/06). (See 37 CFR 1.131, which requires, among other things, establishing invention of the subject matter of the rejected claim prior to the **effective date** of the reference; the definition of effective date

is also provided there. See also the first three lines of MPEP 715.III, which states that the date to be overcome is the effective date of the reference.)

3. In the 5<sup>th</sup> paragraph on page 7 of the amendment filed 10/13/06 Applicant argues that the Kunzman reference is not available for §103 rejection due to common ownership. However, Applicant failed to state that the common ownership was "at the time the invention was made" as required. (See MPEP 706.02(I)(1)I and 706.02(I)(2).) Therefore, the argument is not persuasive. (In fact, for the instance application, the assignment to Texas Instruments, the common owner, was executed by Applicant on 09/06/00, later than the time the invention was made, which is no later than 08/31/00.)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4, 5, 10, 12, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and in view of Ito et al. (US 6,388,674) and Kunzman et al. (US 6,054,832).

6. Regarding claim 1, Oguchi discloses

- Providing at least two projectors [Fig. 1, numerals 2 (projectors), 8 (Processing unit); Col. 5, lines 38-56. Note that each processing unit is considered part of the projector since they are coupled to each other]
- communicating each projector's chromaticity data to a main controller [Fig. 1, refs 4 & 5 (considered a controller composing refs. 6 and 7); Figs. 2 & 3; Col. 5, lines 46-50; Col. 9, lines 6-23. Note that the chromaticity sensors send chromaticity data of their respective projector to a main controller]
- determining a standard color gamut achievable by each projector [Col. 3, lines 8-10; Col. 7, lines 41-60, especially lines 55-60. Note that the common color production region correspond to a standard gamut of the projectors]
- calculating color correction data for each projector based on that projector's chromaticity data and on said standard color gamut [Col. 6, line 1 through Col. 8, line 40, especially Equations 1-10. Note that  $M_{nt}$  corresponds to the color correction data of the  $n^{\text{th}}$  projector]
- calculating image pixel values based on input image data and said color correction data [Col. 2, lines 42-46 (each projector/processing unit calculates its own corrected pixels for display); Col. 8, lines 51-53]

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Oguchi does not expressly disclose that each projector has chromaticity data of and luminance data (relative luminance of colors) generated by of that projector stored therein and that the luminance data is also communicated to the main controller to calculate color correction.

However, Kunzman discloses storing information (relative luminance of colors in this case) needed for device color correction in that device. [Fig. 6, Col. 9, line 34-Col. 11, line 2, especially Col. 10, lines 20-23 and 65-67. Note that the PWM's are considered relative luminance of colors.]

Oguchi and Kunzman are combinable because they both have aspects that are from the same field of endeavor of color correction.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Oguchi with the teachings of Kunzman by storing information needed for color

correction (such as each projector's chromaticity data and the luminance data) in that

projector and send both kinds of data to the controller to calculate color correction data.

The motivation would have been to be able to allow automated calculation of color

correction data (because the controller can obtain chromaticity data from a projector

connects directly, instead of having to have someone to enter it) and save cost (by not

having to have a separate set of chromaticity sensors). Additionally, since relative

luminance can affect color quality (see Kunzman, Col. 9, lines 42-44), it would have

been obvious to also take them into consideration when calculating color correction data in order to achieve better image matching results.

Therefore, it would have been obvious to combine Kunzman with Oguchi to obtain the invention of claim 1.

**7. Regarding claims 4, 5 and 10 Kunzman further discloses**

- (claim 4) each said projectors include spatial light modulators at which light is directed from a light source through a rotating color wheel and wherein said stored luminance data for a projector represents effective light times of each color of a color wheel for that projector relative to a base wheel rate  
[Fig. 1, refs. 18, 26 & 28; Col. 10, lines 20-23 & 65-67]
- (claim 5) adjusting the gain of the color correction data based on the luminance data  
[Fig. 6; Col. 9, line 34-Col. 11, line 2]
- (claim 10) generating images at each projector, from the calculated image pixels, and using a spatial light modulator  
[Fig. 1. Note that per the analysis of claim 1 Oguchi discloses that image pixels to be displayed are calculated at each projector (see Oguchi: Col. 2, lines 42-46 (each projector/process calculates its own corrected pixels for display)]

**8. Regarding claim 12, the combined invention of Oguchi and Kunzman further discloses**

- at least two projectors, each operable to generate a portion of an image [Oguchi: Fig. 1, numerals 2 (projectors), 8 (Processing unit); Col. 5, lines 38-56. Note that each processing unit is considered part of the projector since they are coupled to each other]
- each projector comprising a spatial light modulator for generating its portion of the image responsive to each color component of pixel values and a memory for storing chromaticity data and luminance data for that projector  
[Kunzman: Fig. 4; Fig. 6; Col. 10, line 65-Col. 11, line 2. See also the analyses of claim 1 regarding storing each projector's chromaticity data and luminance data (implying the existence of a memory) and claim 4 regarding the use of a spatial light modulator]

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- a main controller coupled to each projector to receive stored chromaticity and luminance data, have circuitry to generate color correction data and communicate corrected pixel value to the projector, the main controller comprising circuitry for generating color correction data for each projector based on the received chromaticity and luminance data, and for communicating the color correction data for each projector to that projector  
[Oguchi: Fig. 1, ref. 5 (the circuitry is considered the main controller composing refs. 6 and 7); Col. 5, lines 35-67 and Col. 6, line 1 through Col. 8, line 55, especially Equations 1-10 describes the calculation and communication of color correction data in details. See also the analysis for claim 1]
- wherein each projector further comprises circuitry for calculating corrected pixel values based on said color correction data  
[Oguchi: Fig. 1, refs. 2 & 8 (Note that each processing circuitry 8 is considered part of the projector 2 since they are coupled to each other); Col. 2, lines 42-46 (each projector/processing circuitry calculates its own corrected pixels for display); Col. 8, lines 51-53]

9. Regarding claim 13, Kunzman further discloses a light source and a color wheel disposed as recited. In addition, **Official Notice** is taken that using a digital micro mirror device for a projector is well known and widely used in the art [e.g., Texas Instrument's digital light processing (DLP)-based projectors that have been available since around 1987].

10. Claim 16 is similarly analyzed and rejected as per the analyses of claims 4 and 12.

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11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and Kunzman et al. (US 6,054,832) as applied to claims 1, 4, 5, 10, 12, 13 and 16 above, and further in view of Noguchi (US 6,101,272).

12. Regarding claim 6, the combined invention of Oguchi and Kunzman discloses all the limitations of its parent, claim 1.

The combined invention of Oguchi and Kunzman does not expressly disclose

- Wherein the communicating step comprises communicating each projector's chromaticity data is performed by communicating the data in the form of a transfer function matrix

However, Noguchi discloses performing gamut transformation and color correction (i.e., chromaticity data) using matrix operations [Col. 29, lines 39-44] and therefore teaches/suggests communicating the data in the form of a transfer function matrix.

The combined invention of Oguchi and Kunzman is combinable with Noguchi because they both have aspects that are from the same field of endeavor of color correction.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the combined invention of Oguchi and Kunzman with the teachings of Noguchi by communicating the chromaticity data in the form of a transfer function matrix. The motivation would have been to be because it is a compact form to represent the data and matrix operations can be easily implemented.

Therefore, it would have been obvious to combine Noguchi with Kunzman and Oguchi to obtain the invention of claim 6.

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13. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and Kunzman et al. (US 6,054,832) as applied to claims 1, 4, 5, 10, 12, 13 and 16 above, and further in view of Yoshikuni (JP 02-001351, with English abstract).

14. Regarding claim 7, the combined invention of Oguchi and Kunzman discloses all the limitations of its parent, claim 1.

The combined invention of Oguchi and Kunzman does not expressly disclose

- the chromaticity data is calculated from primary and white color values

However, Yoshikuni teaches performing color correction on primary and white colors

[English abstract: Constitution, lines 8-12]

The combined invention of Oguchi and Kunzman is combinable with Yoshikuni because they both have aspects that are from the same field of endeavor of color correction.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the combined invention of Oguchi and Kunzman with the teachings of Yoshikuni by calculating chromaticity data from primary and white colors. The

motivation would have been to be because the input has been in R, G, and B (primary colors) and that correcting white color can extend the dynamic range of the output device when producing a color near white.

Therefore, it would have been obvious to combine Yoshikuni with Kunzman and Oguchi to obtain the invention of claim 7.

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15. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and Kunzman et al. (US 6,054,832) as applied to claims 1, 4, 5, 10, 12, 13 and 16 above, and further in view of Appel (US 5,337,410).

16. Regarding claims 8 and 9, the combined invention of Oguchi and Kunzman discloses all the limitations of their parent, claim 1.

The combined invention of Oguchi and Kunzman does not expressly disclose

- (claim 8) said determining and calculating color correction data steps performed by at least one component selected from the group consisting of: a processing system in data communication with each other, and at least one projector functioning at least partially as the main controller
- (claim 9) said determining and calculating color correction data steps (are) performed by one of said projectors

However, Appel discloses a multi-processor system in which a processing unit also acts as a master (i.e., a controller, and note that in Oguchi the controller performs the determining and calculating steps) [Col. 2, lines 10-12].

The combined invention of Oguchi and Kunzman is combinable with Appel because they have aspects that are from the same field of multi-processing.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the combined invention of Oguchi and Kunzman with the teachings of Appel by having one of the processing units act as the main controller. The motivation would have been to reduce the system cost.

Therefore, it would have been obvious to combine Appel with Oguchi and Kunzman with to obtain the inventions of claims 8 and 9.

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17. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and Kunzman et al. (US 6,054,832) as applied to claims 1, 4, 5, 10, 12, 13 and 16 above, and further in view of Gibson (US 5,253,043).

18. Regarding claim 11, the combined invention of Oguchi and Kunzman discloses all the limitations of its parent, claim 1.

The combined invention of Oguchi and Kunzman does not expressly teach/suggests calculating color correction data from both primary and secondary colors. However, this limitation is taught by Gibson [Fig. 1; numeral 51; Col. 7, lines 52-66].

The combined invention of Oguchi and Kunzman is combinable with Gibson because they both have aspects that are from the same field of endeavor of color correction.

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the combined invention of Oguchi and Kunzman with the teachings of Gibson by deriving color correction from both primary and secondary color. The suggestion/motivation would have been to provide more accurate color correction so that better image can be obtained.

Therefore, it would have been obvious to combine Gibson with Oguchi and Kunzman to obtain the invention of claim 11.

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19. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi et al. (US 6,340,976) and Kunzman et al. (US 6,054,832) as applied to claims 1, 4, 5, 10, 12, 13 and 16 above, and further in view of Gibson (US 5,253,043).

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20. Regarding claim 18, the combined invention of Oguchi and Kunzman discloses all limitations of its parent, claim 12.

The combined invention of Oguchi and Kunzman does not expressly teach/suggests deriving color correction data from both primary and secondary colors. However, this limitation is taught by Gibson [Fig. 1; numeral 51; Col. 7, lines 52-66].

The combined invention of Oguchi and Kunzman is combinable with Gibson because they both have aspects that are from the same field of endeavor of color correction.

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the combined invention of Oguchi and Kunzman with the teachings of Gibson by deriving color correction from both primary and secondary color. The motivation would have been to provide more accurate color correction so that better image can be obtained.

Therefore, it would have been obvious to combine Gibson with Oguchi and Kunzman to obtain the invention of claim 18.

***Conclusion and Contact Information***

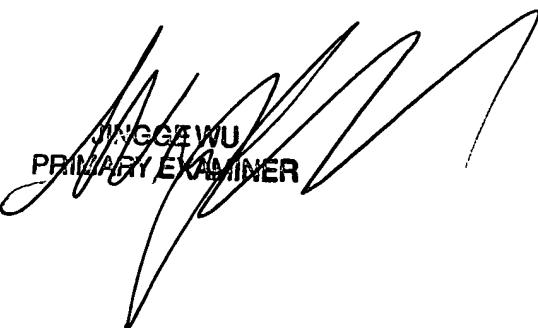
21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yubin Hung whose telephone number is (571) 272-7451. The examiner can normally be reached on 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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